

## **Lincoln Community River Park Fee Acquisition Proposal**



### **Level Two Application for Funding Lewis and Clark County Open Lands Program**

Submitted by:



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June 16, 2016

Lewis and Clark County Open Lands Program  
Community Development and Planning Department  
City-County Building, Room 220  
316 N. Park Avenue  
Helena, MT 59623

**Re: Lincoln Community River Park--Fee Acquisition**

Dear Committee and Staff Members:

On behalf of Five Valleys Land Trust, I am pleased to submit the Lincoln Community River Park fee acquisition proposal to the Lewis and Clark County Open Lands Program. The undeveloped 9.5-acre property is owned by Paul Roos and is located along the Blackfoot River in Lincoln. Mr. Roos is a community-minded landowner and describes growing up in Lincoln with "his feet wet" and always in the river. He is disappointed that children in Lincoln do not have those same opportunities as he did when he was growing up. Mr. Roos, other community members, and partner organizations would like to change that.

This Lincoln Community River Park proposal is a community grassroots project that began more than 3-years ago with local residents gathering to discuss opportunities for a public park along the Blackfoot River. To help with their endeavors, group members asked Five Valleys Land Trust, Prickly Pear Land Trust and others to evaluate and explore their options with them. Years of outreach, collaboration and negotiations have culminated in this opportunity for the Lincoln Community River Park—a community park along the Blackfoot River within walking distance of the Lincoln town center and several neighborhoods—owned by Five Valleys Land Trust and managed as a public park in conjunction with community members and other partners.

Project goals and the extensive public benefits include: providing safe, public access and low-impact recreational opportunities to the Blackfoot River; protecting fish and wildlife habitat; protecting water quality; preserving open lands; managing for growth and development, and engaging members of the public, community groups, and teachers and students to connect with this amazing natural area.

We hope that you share our enthusiasm for this unique concept for a public park, and will join us in acquiring the Roos property to further protect this special place and provide Lincoln residents with a family-friendly place to enjoy the Blackfoot River.

Sincerely,

Pelah Hoyt  
Lands Director



**Board of Directors:**

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## Landowner and Agency Identification

Landowner: Paul Roos  
P.O. Box 6,  
Lincoln, MT 59639

Primary Sponsoring Organization: Five Valleys Land Trust (hereafter Five Valleys)  
Vickie Edwards, Conservation Project Manager  
120 Hickory Street, Suite B  
Missoula, MT 59801

Secondary Sponsoring Organization: Prickly Pear Land Trust (hereafter Prickly Pear)  
Andrea Silverman, Land Protection Coordinator  
46 N. Last Chance Gulch, 2A  
Helena, MT 59601



Fig. 1: Lincoln Community River Park Site Location Map

## 1. Site Description

- a. Size of the property: The single parcel is approximately 9.5-acres in size and is owned by Paul Roos.
- b. Size of the area: Five Valleys would acquire 100% of the Property from Mr. Roos through a fee acquisition.
- c. Permitted home sites: There are no home sites on the Property and Five Valleys would not develop the site for residential purposes.
- d. Water/Mineral Rights: There are no water and mineral rights associated with the Property. Based upon mineral remoteness analysis conducted by Turner Paddock, a qualified geologist, mineral development potential of the Property is so remote as to be negligible (See 10-6).
- e. Hazardous materials: As per a Phase I environmental review conducted by Westech Environmental Services, there are no recognized environmental concerns or hazards associated with the Property (See 10-3).
- f. Other Conservation Easements and Public Lands: The property includes approximately 1,056 feet of Blackfoot River frontage and is accessible from Stemple Pass Road. Private lands abut the proposed park, with 208-acres of public land and 8-acres of private lands with conservation easements within a 1-mile buffer around the Property (See 10-8, Pg. 10). Nearby protected lands within a 3-mile buffer of the Property include 3,622 acres of public lands and 1,117 acres of private lands with conservation easements (See 10-8, Pg. 10). Of those lands, public land management falls under the purview of Montana Department of Natural Resources and Conservation and the Helena National Forest of the U.S. Forest Service. Five Valleys and The Nature Conservancy hold the private land conservation easements. The Lincoln Community River Park would complement those lands that already are protected and would fill a niche of public access opportunity to the Blackfoot River—something that the other parcels do not provide.
- g. Commercial Activities: There are no current or proposed commercial activities on the Property.

## 2. Proposed Funding

Five Valleys and Prickly Pear respectively request up to \$113,300 of Lewis and Clark County Open Space Bond funds to purchase the Park property and to help cover transaction costs associated with the fee acquisition and Lewis and Clark County's due diligence requirements. County funds would be matched by contributions from Five Valleys and Prickly Pear. Total project costs are further described in the table below. The stewardship fee is a requirement of Five Valleys' policies and accredited status ensures there is funding adequate to monitor and steward the Park into the future. Five Valleys is accredited with the national Land Trust Accreditation Commission, which provides an independent verification that Five Valleys meets high standards for land conservation, stewardship, and non-profit management.

## Lincoln Community River Park Acquisition--Estimated Budget

<b>Lincoln Community River Park, Estimated Transaction Costs--Acquisition Only</b>	<b>Amount</b>
Qualified Appraisal	\$10,000
Stewardship Fee	\$12,000
Title Insurance Policy	\$1,000
Minerals Review and Report	\$500
Phase I Environmental Review and Report	\$4,000
Recording & Closing Fees	\$800
<b>Total Transaction Costs</b>	<b>\$28,300</b>

<b>Lincoln Community River Park, Estimated Budget<sup>a</sup>--Acquisition Only</b>	<b>Amount</b>
Purchase Price <sup>b</sup>	\$85,000
Estimated Transaction Costs <sup>c</sup>	\$28,300
Five Valleys Land Trust Staff Time, Travel, Project Legal Fees, Current Conditions Report	\$18,300
Prickly Pear Land Trust Staff Time, Travel	\$3,000
<b>Total Estimated Project Costs</b>	<b>\$134,600</b>
<b>Anticipated Funding Sources:</b>	
Lewis and Clark County Open Lands Bond (requesting)	\$113,300
Five Valleys Land Trust (In-kind)	\$18,300
Prickly Pear Land Trust (In-kind)	\$3,000
<b>Total Anticipated Funds</b>	<b>\$134,600</b>

<sup>a</sup>Budget assumes a conservation easement would not be placed on property.

<sup>b</sup>Appraisal conducted by Paraic Neibergs of Norman C. Wheeler & Associates

<sup>c</sup>Transaction Costs include qualified appraisal, stewardship fee, title insurance policy, minerals review and report, Phase I environmental review, and recording and closing fees

### 3. Conserving Working Farms and Ranches

Based upon the Montana Natural Resources and Conservation's soils data, there are 7.7 acres of 'Prime Farmland if Irrigated' soils on the Property. Previous landowners leased the Property for livestock grazing, but currently there is no agricultural use on the Property; therefore, there is no existing farm or ranch management plan in place. Adjacent and nearby lands primarily include residential home sites to the north within the Lincoln Planning Area, but properties to the west and further south include expansive tracts of land that are managed for agricultural production. Five Valleys' acquisition of the Property would ensure the protection of the important agricultural soils by prohibiting subdivision and not allowing for residential development.

### 4. Conserving Working Forests

The Property is not located in the wildland/urban interface and does not include forest land/commercial timber for tax purposes—it is considered rural residential. Based upon the Lewis and Clark County GIS mapping program, the majority of the Property is located in Fire Risk Level C, high risk, while the most southern tip of the Property is located in Risk Level A,

low risk. The Property currently is not managed for timber production and there is no timber management plan in place. Because of its small size, location, riparian habitats and other conservation values, the proposed Park parcel is not conducive to management as a working forest. However, Five Valleys' staff anticipates conducting selective and prescriptive timber removal as needed for forest health and public safety.

## **5. Protecting Habitat for Fish and Wildlife**

The Property provides significant natural habitats for native fish and wildlife, which are important to the ecological integrity of the Blackfoot River Valley. Habitat types and communities on the 9.5-acre Property primarily include stands of aspen and black cottonwood, with red osier dogwood in the riparian areas and snowberry and chokecherry in the more open meadows. The Montana Natural Heritage Program identified 16 Montana Species of Concern and 1 Special Status Species within the township and range of the Property (May 16, 2016). Of those 17 species, the U.S. Fish and Wildlife Service designated 3 of them as threatened species. Some of those species that occur or may occur on the property and the adjacent Blackfoot River waterway include but are not limited to: bull trout, westslope cutthroat trout, grizzly bear, pileated woodpecker, great blue heron, bald eagle, fringed myotis, and Columbia spotted frog. Other species that utilize the Property include white-tailed deer, elk, moose, black bear, mountain chickadee, and long-toed salamander.

The Blackfoot River is 1 of 12 'Blue Ribbon' trout rivers in Montana and is a regional focus area for native trout recovery efforts for bull trout and westslope-cutthroat trout. Migratory bull trout use the Blackfoot main-stem to travel many miles to-and-from critical spawning and rearing habitats. The Property includes designated critical bull trout habitat that is essential to its lifecycle.

The Property also includes intact riparian vegetation associated with the river frontage that provides crucial fish and wildlife habitat and positively affects water quality, especially water temperatures of the Blackfoot River. However, a few areas along the riverbank are eroding and compromising the integrity of the riparian habitat. Future opportunities exist for Five Valleys and Prickly Pear to work with other partners and the community to help improve these areas.

The Blackfoot River and its associated riparian habitats have high habitat ratings from Montana Fish, Wildlife and Parks. Montana's Statewide Wildlife Action Plan (2015) identifies Floodplain and Riparian community types as Tier I terrestrial communities of greatest conservation need, which are found extensively on the Property. The Plan also identifies statewide terrestrial and aquatic focal areas of conservation need, and the Property is located within two of these areas. The Property is within the North Fork Blackfoot River (Scapegoat Wilderness) Tier I Aquatic Focal Area as identified in the Plan (2015). This aquatic focal area is an area of greatest conservation need and bull trout are identified in the Plan as an aquatic species of greatest conservation. The Property also is within the designated Lincoln Connectivity Tier II Terrestrial Focal Area that provides connectivity between large, intact landscapes that provide exponential conservation values.

Montana's State Wildlife Action Plan. 2015. Montana Fish, Wildlife & Parks, 1420 East Sixth Avenue, Helena, MT 59620. 441 pp.